

Appl. No. : 10/633,404
Filed : August 1, 2003

REMARKS

In the Office Action mailed August 10, 2006, a Restriction Requirement was imposed. On page 2 of the Office Action the Examiner states that

“This application contains claims directed to the following patentably distinct species:

“A1. A method or apparatus wherein evaluating said calibration set includes evaluating only said new matched data pair.

“A2. A method or apparatus wherein evaluating said calibration set includes evaluating all of the matched data pairs in said calibration set and said new matched data pair.

“A3. A method or apparatus wherein evaluating said calibration set includes evaluating combinations of matched data pairs from the calibration set and said new matched data pair.”

“Applicant is required under 35 U.S.C. 121 to elect a single disclosed species among species A1-A3 for prosecution...”

On page 3 of the Office Action the Examiner states that

“This application contains claims directed to the following patentably distinct species:

“B1. A method or apparatus wherein downloading reference data is accomplished via a cabled connection.

“B2. A method or apparatus wherein downloading referenced data is accomplished via a wireless connection.”

“Applicant is required under 35 U.S.C. 121 to elect a single disclosed species among species B1 and B2 for prosecution...”

On page 4 of the Office Action the Examiner states that

“This application contains claims directed to the following patentably distinct species:

“C1. A method or apparatus wherein the conversion function comprises a linear regression.

“C2. A method or apparatus wherein the conversion function comprises a non-linear regression.”

“Applicant is required under 35 U.S.C. 121 to elect a single disclosed species among species C1 and C2 for prosecution...”

In response to these requirements, Applicant hereby elects the invention of Groups A1, B2, and C1, including Claims 1-3, 6-8, 10-13, 15-14, 27-29, 31-34, 36-45, 48-50, 52-55, and 57-65, without traverse and without prejudice. Claims 4-5, 9, 14, 25-26, 30, 35, 46-47, 51, and 56 have

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accordingly been withdrawn in response to the restriction requirement. Claims 1, 3, 16, 22, 24, 37, 43, 45, 58, and 64-65 have been amended. No new subject matter has been added. Therefore Claims 1-3, 6-8, 10-13, 15-14, 27-29, 31-34, 36-45, 48-50, 52-55, and 57-65 are elected for examination, and believed to be patentable.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated:

8/28/06

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